

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

TIMOTHY SALLEE,)	
)	
Plaintiff,)	
)	Cause No:
v.)	
)	Boone County Cir: 22BA-CV03027
WALMART STORES EAST, LP)	
D/B/A WALMART SUPERCENTER #159)	
)	Defendant demands trial by jury
Defendant.)	

NOTICE OF REMOVAL

Comes now, Defendant Wal-Mart, Inc., by and through undersigned counsel, and for its Notice of Removal, state the following:

1. On August 12, 2022 Plaintiff filed an original Petition in the Circuit Court of Boone County, State of Missouri against Defendant Wal-Mart, Inc.
2. Plaintiff is a resident and citizen of the State of Missouri.
3. At the time of the commencement of said action and ever since, Wal-Mart, Inc. has been and still is a foreign corporation incorporated and existing under the laws of the State of Delaware with its principal place of business in the State of Arkansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri.
4. Plaintiff's claim for damages exceeds the statutory minimum requirement of \$75,000 for diversity jurisdiction as Plaintiffs' counsel has made a demand of \$250,000.00.
5. Plaintiff filed his Petition on August 12, 2022 and obtained service on this Defendant on or about August 29, 2022. Therefore, this Notice of Removal has been timely filed within thirty (30) days pursuant to 28 U.S.C. § 1446.
6. Because complete diversity of citizenship exists between Plaintiff and Defendant, and because the amount in controversy in this action exceeds the sum of Seventy-Five

Thousand Dollars (\$75,000.00), removal to this Court is proper pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1446.

7. Furthermore, venue is proper in the Western Division of this Court as the incident from which Plaintiff claims damages is alleged to have occurred in Boone County, Missouri as evidenced in Plaintiff's Petition and as established by the fact that the residence at issue is located in Boone County.

8. Promptly after filing this Notice of Removal, the Defendant gave written notice thereof to the attorney for Plaintiff, and to the Clerk of the Circuit Court of Boone County, Missouri, and has provided both with copies of this Notice of Removal.

9. All pleadings and papers which have been filed in the state court action are attached to this Notice of Removal

WHEREFORE, Defendant Wal-Mart, Inc. requests that the above-referenced state court action be removed from Boone County Circuit Court, to this honorable Court, and that this honorable Court accept jurisdiction of the case, and for any other relief this Court deems just and proper.

/s/ John P. Rahoy

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The undersigned hereby certifies that the above and foregoing pleading was filed electronically with the above-captioned Court, with notice of case activity to be generated and sent electronically by the Clerk of said Court this 14th day of September 2022 to:.

tmulholland@engandwoods.com

Thad R. Mulholland
Eng & Woods
903 East Ash Street
Columbia, MO 65201

/s/ John P. Rahoy
